

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Tereather T¹.,

Case No. 22-cv-3216 (DJF)

Plaintiff,

v.

ORDER

Martin J. O'Malley²,
Commissioner of Social Security,

Defendant.

This matter is before the Court on Plaintiff's Motion for Award of Attorney Fees Pursuant to the Equal Access to Justice Act U.S.C. 28 § 2412 ("EAJA") ("Motion") (ECF No. 30). Plaintiff seeks an award of attorney's fees in the amount of \$5,979.16. (*Id.*) Defendant does not oppose the Motion or the amount requested. (ECF No. 32.) Finding good cause, the Court **GRANTS** the Motion as follows:

1. Plaintiff is awarded \$5,979.16 for reasonable attorney's fees under the EAJA. The award shall fully and completely satisfy any and all claims for fees, costs, and/or expenses that may have been payable to Plaintiff in this matter pursuant to the EAJA.

2. In accordance with the EAJA and *Astrue v. Ratliff*, 560 U.S. 586 (2010), the EAJA fee award is payable to Plaintiff as the litigant and subject to offset to satisfy any preexisting debts that the litigant may owe to the United States.

¹ This District has adopted a policy of using only the first name and last initial of any nongovernmental parties in orders in Social Security matters.

² Martin J. O'Malley became Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure and the last sentence of section 205(g) of the Social Security act, 42 U.S.C. § 405(g), the Court substitutes Martin J. O'Malley for Kilolo Kijakazi as the defendant in this matter.

3. If, after receiving the Court's EAJA fees order, the Commissioner: (1) determines that Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program; and (2) agrees to waive the requirements of the Anti-Assignment Act, then the EAJA fees will be made payable to Plaintiff's attorney, **Jyotsna Asha Sharma**.

4. The check issued for payment shall be delivered to Plaintiff's attorney at **250 South Clinton St., Suite 210 Syracuse, NY 13202**.

IT IS SO ORDERED.

Dated: March 1, 2024

s/ Dulce J. Foster

DULCE J. FOSTER

United States Magistrate Judge